

Message Text

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ACTION L-03

INFO OCT-01 EUR-25 ISO-00 NEA-14 AID-20 ACDA-19 CIAE-00

PM-07 H-03 INR-10 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01

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FM AMEMBASSY LONDON

TO SECSTATE WASHDC 2021

INFO DOD WASHDC

AMEMBASSY NICOSIA

C O N F I D E N T I A L LONDON 08721

E.O. 11652: GDS

TAGS: PFOR, CY, UK, US

SUBJECT: NIMBUS STAR

REF: (A) STATE 129943 (B) STATE 148712

1. EMBASSY RECEIVED ON 11 JULY HMG'S RESPONSE TO OUR NOTE OF 24 JUNE CONVEYING CONCURRENCE IN THE INTERPRETATION AND APPLICATION OF NATO SOFA, BRITIAN'S VISITING FORCES ACT, AND THE BILATERAL AGREEMENTS RELATING TO MARINE TRANSPORTATION AND LITIGATION AND TO MUTUAL FOREBEARANCE IN CLAIMS CONTAINED IN OUR 24 JUNE NOTE. COPIES OF THE U.S. NOTE AND FCO'S REPLY THERETO ARE BEING FORWARDED BY AIRGRAM.

2. IN REPLYING TO OUR NOTE, FCO HAS NOTED IN A SEPARATE LETTER THAT, IN CLEARING ITS RESPONSE, ONE OF THE MINISTERS BROUGHT TO FCO'S NOTICE THAT "... (A) STRICTLY SPEAKING IT IS INCORRECT TO REFER TO THE 'SOVEREIGN BASE AREAS OF CYPRUS' AND (B) THE PHRASE IN PARAGRAPH 2, 'OUTSIDE THE SOVEREIGN BASE AREAS OF CYPRUS', COULD BE AMBIGUOUS IF IT WERE UNDERSTOOD TO APPLY TO THE REPUBLIC OF CYPRUS, WHICH, AS YOU WILL RECOLLECT..., WAS NOT THE INTENTION". FCO DOES NOT THINK ANY AMENDMENT OF OUR NOTE IS NECESSARY, CONFIDENTIAL

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BUT IT DOES WISH TO RECORD THAT THE CORRECT DESIGNATION

OF SBAS IS "UNITED KINGDOM SOVEREIGN BASE AREAS OF AKROTIRI AND DHEKELIA IN THE ISLAND OF CYPRUS" AND THAT PARA 2 OF THE U.S. NOTE IS INTENDED TO MEAN "OUTSIDE CYPRUS AS A WHOLE". WE HAVE ACKNOWLEDGED THE FCO RESPONSE AND CONVEYED OUR BELIEF THAT THESE POINTS ARE NONSUBSTANTIVE AND SHOULD NOT CAUSE US TO AMEND THE NOTES. REQUEST CONFIRMATION.

3. WITH REGARD TO QUERY REF (B), BOTH EMBASSY AND FCO/MOD HAVE ASSUMED THAT NOTES EXCHANGED WERE TO GOVERN PRESENCE OF ALL U.S. PERSONNEL ON SBAS AND THAT NO FURTHER ARRANGEMENTS ARE NECESSARY. ARE THERE OTHER LEGAL POINTS THAT REMAIN UNCOVERED?

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